

GOVERNMENT OF TELANGANA

ABSTRACT

Tribal Welfare Department – Telangana State – Mancherial District – Issue of Local Scheduled Tribe Agency Area Certificates – Cancellation of Local Scheduled Tribe Agency Area Certificate by the Collector & District Magistrate, Mancherial District vide Proc.No.B4/594/2019, dated 06.04.2023 - Appeal filed by Sri Tejavath Sony S/o Linga R/o Hostel Thanda, Kawwal village, Jannaram Mandal, Mancherial District - Appeal Allowed – Orders – Issued.

TRIBAL WELFARE (LTR) DEPARTMENT

G.O.Ms.No.47

Dated:05.10.2023.

Read the following:-

1. Proceedings No.B4/594/2019, dated 06.04.2023 O/o. the Collector & District Magistrate, Mancherial District.
2. Appeal petition filed Sri Tejavath Sony S/o Linga R/o Hostel Thanda, Kavval village, Jannaram Mandal, Mancherial District 11.4.2023 & 26.08.2023.
3. Govt.Memo.No.600/TW.LTR/2023-1&2,dated 06.06.2023& 05.09.2023.
4. Govt.Notice No.600/TW.LTR/2023, dated 05.09.2023.

ORDER:-

In the reference 1st read above, the Collector & District Magistrate, Mancherial District has declared the LST Certificate of Sri Tejavath Sony, S/o. Linga, Kawwal (V), Jannaram Mandal, Mancherial District as not Genuine and declaring him as not Local Scheduled Tribe as per definition of G.O.Ms.No.3, Social Welfare (TW.Edn.II) Department, dated 10.01.2000 for the following reasons:

- i) The applicant Sri Tejavath Sony S/o Linga R/o Kawwal village of Jannaram Mandal submitted the 1977 voter list and no relevant documents provided from 1950-1977.
- ii) No other record in the name of Sri Tejavath Sony S/o Linga R/o Kawwal village of Jannaram Mandal was submitted by the applicant.
- iii) The Scrutiny Committee with the above findings opined that Sri Tejavath Sony had failed to produce sufficient evidence to prove his continuous residence in agency area since 1950 to till date as per GO Ms.No.3, SW (TW.Edn.II) Department, dated 10.01.2000. Hence, the candidate is not a local scheduled tribe.
- iv) The Project Officer, ITDA, Uttoor vide his report in Lr.Rc.No.A1/143/2019, dated 02.03.2020 had reported that the Local Scheduled Tribe Certificate in respect of Sri Tejavath Sony S/o Linga R/o Kawwal village is verified with reference to the documents produced by him and the committee made recommendation that the LST certificate produced by the individual is not genuine.

2. Aggrieved by the above orders of the Collector & District Magistrate, Mancherial District, in the reference 2nd read above, the Appellant Sri Tejavath Sony S/o Linga R/o Hostel Thanda, Kawwal village, Jannaram Mandal, Mancherial District has filed the present Appeal before the Government under GO Ms.No.24, Tribal Welfare (LTR) Department, dated 12.6.2018 urging as follows:

- i) He has been provisionally selected to the post of Stipendiary Cadet Trainee (SCT) Police Constable (Civil) in Adilabad District Unit in Recruitment Notification 2018, wherein his name was shown at Sl.No.15 in the Merit List vide Regn.No.1024190 under Local ST status category.
- ii) The Collector & District Magistrate, Mancherial District has issued orders cancelling his local ST certificate and also treated him as not local ST as per definition of GO Ms.No.3, SW (TW.Edn.II) Department, dated 10.01.2000.

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iii) In support of his claim as agency area local ST with the following documents as evidentiary material:

- a) Copies of certificates related to educational qualifications from III class to Intermediate.
- b) Community & Date of Birth Certificate bearing No.00YY 10613335 dated 7.1.2015 issued by the Tahsildar, Jannaram wherein it was certified that the appellant belongs to Lambadis-Sl.No.28 (ST) community.
- c) Certificate bearing Rc.No.C/24/2016, dated 4.02.2016 issued by the Tahsildar, Tiryani wherein it was certified that "On the basis of the certification made by the Village Revenue Officer, Loddiguda and Mandal Revenue Inspector-II Tiryani, it is to certify that Sri Late Tejawat Lingu F/o Tejavath Sony and his forefathers were resided at Kimanayak Tanda H/o Loddiguda village of Tiryani Mandal before 1977 to 2005. They were shifted to Jannaram Mandal for livelihood. He belongs to ST Lambadis community. The Loddiguda village comes under Agency Schedule Area. Hence certified".
- d) Agency Area Local Scheduled Tribe Certificate bearing Rc.No.C/86/2019/2, dated 08.06.2019 wherein it was certified that:

"This is to certify that Sri Thejavath Sony S/o Sri Thejavath Linga belongs to ST Lambada Scheduled Tribe community notified under Article 342 of the Constitution of India in the State of Telangana himself/herself of his/her parents/grandparents have been continuously residing at village Kimanayak Thanda H/o Loddiguda village of Tiryani Mandal, during the period 1977 to 2005. Sri Late Tejawat Lingu F/o Tejavath Sony and his forefathers were shifted to Jannaram Mandal for livelihood, he belongs to ST Lambadis community. The Loddiguda Village comes under Agency Scheduled Area – this certification issued by the Tahsildar, Tiryani Mandal.

In view of the above, Village Revenue Officer, Kawal and Mandal Girdawar Jannaram has reported that Sri Thejavath Sony S/o Sri Thejavath Linga has been migrated from Kimanayak Thanda H/o Loddiguda village of Tiryani Mandal to Hostel Thanda H/o Kawal (Notified) village of Jannaram Mandal for the year 2005 to till to date his family residing at Hostel Thanda H/o Kawal Vg of Jannaram Mandal and he belongs to ST Lambada community, which is a notified scheduled village as per Scheduled Areas (Part B States) Order, 1950".

e) Family Tree

Tejavath Balya is appellant's grandfather. He has two sons namely Linga (father of appellant) and Dasru (paternal uncle).

Tejavath Linga (father of appellant) has four sons and one daughter namely 1) Bheema (eldest son), 2) Syamrao (elder son) 3) Sony (son and appellant herein), 4) Sumanbhai (daughter) and 5) Ganesh (youngest son).

- f) Aadhar Card bearing No.4687 9859 1667 issued by the UIDAI wherein appellant's residence was recorded as H.No.1-178/18, Hostel Thanda, Kavval village, Jannaram Mandal, Adilabad District 504205.
- g) Aadhar Card bearing No.8015 7778 1614 issued to mother of appellant Smt.Thejavath Renabai by the UIDAI wherein residence was recorded as H.No.1-178/18, Hostel Thanda, Kavval village, Jannaram Mandal, Adilabad Dist.504205.

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- h) Pahani for the year 1950-51 of Nagalkonda village - Narnoor Mandal – name of appellant's grandfather Balya was recorded (translated by Sri Rajaram, X-Patwary Village & Mandal Narnoor, Tr.Mo.Marati).
- i) Pahani for the year 1954-55 – Nagalkonda village – Narnoor Mandal wherein name of appellant's grandfather viz., Balya was recorded.
- j) Household card issued in the name of appellant's father Tejavath Linga S/o Balu R/o Pedda Dampur H/o Loddiguda – occupation: Agriculture.
- k) Voter list for the year 1977 – Part No.74 – village: Loddiguda – wherein name of appellant's father Linga and mother were enrolled at Sl.Nos.130 and 132.
- l) Pattedar Pass Book No.T15080030351 – Khata No.660 – village: Kavval – Mandal: Jannaram – issued to appellant's mother Tejavath Renabai W/o Linga for possession of land admeasuring acs.1.00 in Sy.No.50A2.
- m) Kimanayak Thanda (Dampur) Lingapur Mandal (previously in Tiryani Mandal) PESA Gram Sabha Resolution dated 11.8.2023 wherein it was resolved that parents/forefathers of appellant resided in Kimanayak thanda from 1965 to 2005.
- n) Hostel Thanda, Kavval village PESA Gram Sabha Resolution dated 14.8.2023 wherein it was resolved that appellant's family has been residing in Hostel Thanda since 2006 to till date.
- iv) The Appellant stated that they have been continuously living in the agency villages i.e. Nagalgonda village (Narnoor Mandal), Kimanayak thanda in Tiryani Mandal and presently in Hostel Thanda of Kavval village in Jannaram Mandal of Mancherial District (all were in the erstwhile Adilabad District), therefore, prayed the Government to allow his Appeal.

3. In the reference 3rd read above, Government have admitted the above Appeal under GO.Ms.No.24, dated 12.06.2018 and requested the Collector & District Magistrate, Mancherial District, the Project Officer, ITDA, Uttoor, Adilabad District and Tahsildar, Jannaram Mandal to submit connected records pertaining to the case along with para-wise remarks.

4. In the reference 4th read above, Notice was issued to the Appellant to attend for hearing on 14.09.2023 at 3.00 PM before the Government to prove his claim along with documentary evidences. Accordingly, the Appellant Sri Tejavath Sony S/o Linga has attended. Deputy Tahsildar O/o.Tahsildar, Jannaram Mandal and District Tribal Development Officer, Mancherial have attended and the District Tribal Development Officer Mancherial have asserted with the findings arrived in the orders of the District Collector, Mancherial in Procs.No.B4/594/2019, dated 06.04.2023.

5. Findings

- The Collector & District Magistrate, Mancherial District through his orders dated 6.4.2023 has declared the Appellant as not local ST of agency area and also cancelled his Local ST certificate for the reason that he produced voter list of 1977 and failed to produce any documentary evidence from 1950 to 1977.
- The documentary evidences submitted by the Appellant Sri Tejavath Sony along with his Appeal i.e. Pahanies of 1950-51, Khasra Pahani 1954-55, Voter list 1977, certifications made by the Tahsildar, Tiryani in Certificate Rc.No.C/24/2016, dated 4.2.2016 and Rc.No.C/86/2019/2, dated 8.6.2019 issued by the Tahsildar, Jannaram, Pattedar Pass Book issued by the Tahsildar, Jannaram in favour of appellant's mother Smt.Tejavath Renabai

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W/o Linga, Resolutions of the PESA Gram Sabha Kimanayak Thanda (Dampur) Lingapur Mandal (previously Tiryani Mandal) and Hostel Thanda, Kavval village of Jannaram Mandal, have been examined and verified with reference to the norms/guidelines prescribed in GO Ms.No.24, Tribal Welfare (LTR) Department, dated 12.6.2018 and found valid proving that the appellant and his forefathers have been continuously living in the agency villages since 1950 i.e. in Nagalkonda (Narnoor Mandal of Adilabad District) till 1964, in Kimanayak Thanda H/o Loddiguda village of erstwhile Tiryani Mandal (now in Lingapur Mandal) from 1965 to 2005 and from 2006 onwards to till date in Hostel Thanda of Kawwal village, Jannaram Mandal of the present Mancherial District (erstwhile Adilabad District) – all the three villages are agency villages in the erstwhile Adilabad District notified by the President of India in the Presidential Order, 1950, dated 7.12.1950.

6. Government after careful examination of the documentary evidences submitted by the Appellant and in view of the above findings, the Appeal filed by the Appellant Sri Tejavath Sony S/o Linga R/o Hostel Thanda, Kawwal village, Jannaram Mandal, Mancherial District is hereby ALLOWED treating him as Local ST of Kawwal agency village in Jannaram Mandal of Mancherial District, his Local ST Certificate bearing Rc.No.C/86/2019/2, dated 08.06.2019 issued by the Tahsildar, Jannaram Mandal duly setting aside orders of the District Collector, Mancherial in Procs.No.B4/594/2019, dated 06.04.2023.

7. The Collector and District Magistrate, Mancherial District shall take further necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

Dr.CHRISTINA Z.CHONGTHU,
SECRETARY TO GOVERNMENT.

To
The Collector and District Magistrate, Mancherial District (By RPAD)
Sri Tejavath Sony, S/o. Linga, R/o. Hostel Thanda, Kawwal (V),
Jannaram Mandal, Mancherial District-504205.(By RPAD)

Copy to:-

The Project Officer, ITDA, Utnoor, Adilabad District
The Chairman, Telangana State Level Police Recruitment Board,
Hyderabad
The Superintendent of Police, Adilabad District
The Superintendent of Police, Mancherial District
The District Tribal Development Officer Mancherial District
The Tahsildar, Jannaram Mandal, Mancherial District.
The P.S. to Hon'ble Minister for ST Welfare.
The PA to Secretary (TW).
The PA to Special Secretary (TW).
Sc.

//FORWARDED::BY ORDER//

SECTION OFFICER.